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at 3 p.m.
New York

SUMMARY RECORD OF THE 12th MEETING

Chairman: Mrs. FLORES (Uruguay)
(Vice-Chairman)

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In the absence of Mr. Zarif (Islamic Republic of Iran), Mrs. Flores (Uruguay), Vice-Chairman, took the Chair

The meeting was called to order at 3.20 p.m.

AGENDA ITEM 133: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (A/47/33 and A/47/60-S/23329)

1. Mr. MARTINEZ GONDRA (Vice-Chairman of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization), speaking as Acting Chairman of the Special Committee, recalled the mandate the General Assembly had entrusted to the Committee (resolution 46/48, para. 4) and welcomed the increased interest the Member States had shown in the Committee's work. Briefly introducing the Committee's report (A/47/33), he said that paragraphs 11 to 37 covered the general debate held by the Special Committee at its latest session; paragraphs 38 to 131 were devoted to the question of the maintenance of international peace and security; paragraphs 132 to 182 concerned the peaceful settlement of disputes between States; paragraphs 183 to 186 reflected communications addressed to the Chairman on issues bearing upon the work of the Committee.

2. Mr. ALY THIAM (Guinea) said that the current political climate, at once full of promise and heavy with uncertainty, called for a rebirth of the United Nations. Since the end of the cold war, dialogue and consensus had replaced confrontation and mistrust, allowing transparency and solidarity to enter into international relations. Accordingly, a revision of the Charter had become essential. The revision should be made as part of a formal amendment procedure, not through informal modifications, a process that had thus far prevailed and was inadequate. Though necessary, that thorough reform should be carried out with flexibility, so as not to endanger the daily functioning of the Organization.

3. It would be a good time to eliminate those provisions of the Charter that referred to "enemy States". It was also necessary to expand the Security Council so as to ensure an equitable representation of all of the regions of the world. The Security Council should finally be given the means to act rapidly and effectively, so as to prevent and eliminate all and any threat to peace and security. A more balanced relationship between the Security Council and the General Assembly would be preferable, and resolutions of the General Assembly should be made mandatory.

4. Since it had adopted the principle of the primacy of law, the international community should give more weight to the opinions of the International Court of Justice by recognizing its compulsory jurisdiction. In that regard, it would be advisable to amend Article 96 of the Charter, so as to authorize the Secretary-General to request advisory opinions from the International Court of Justice in the exercise of his good offices.

(Mr. Aly Thiam, Guinea)

5. As to the increasingly important role of the regional and subregional organizations in the prevention and settlement of disputes, a more in-depth study of how they could cooperate with the United Nations system was needed.

6. His delegation considered that any amendment to the Charter should reflect the democratization that was taking place throughout the world: the United Nations, which had inspired that movement, could not escape the transformations arising from it. That was the price to be paid for the strengthening of its role.

The meeting rose at 3.45 p.m.